

<b>Procedure Title</b>	<b>Safe and Accepting Schools Incident Reporting</b>		
<b>Date of Issue</b>	February 2, 2010	<b>Related Policy</b>	BP 6820; BP 6821; BP 6825
<b>Revision Dates</b>	December 2, 2010; March 29, 2011; October 5, 2011; June 12, 2013; February 5, 2014; October 17, 2018	<b>Related Forms</b>	AF 6819 (e-Form – Part I and II); AF 2810
<b>Review Date</b>		<b>Originator</b>	Administrative Council
<b>References</b>			
AP 6801-D “Police/School Protocol”; BP and AP 6825-D “Progressive Discipline-Student”; BP and AP 6821-D “Bullying Prevention and Intervention”; BP and AP 6501-D “Transportation”; Bill 157 “Keeping Our Kids Safe At School Act”; Policy/Program Memorandum No. 144 “Bullying Prevention and Intervention”; Policy/Program Memorandum No. 145 “Progressive Discipline and Promoting Positive Student Behaviour”; AP 2810 “Delegation of Authority (Principal)”; Policy/Program Memorandum No. 120 “Reporting Violent Incidents to the Ministry of Education”; Bill 13 “Accepting Schools Act”; AP 1604-D “Communications – Addressing Parent / Community Concerns”; Cannabis Act; Smoke-Free Ontario Act; Controlled Drugs and Substances Act			

**1.0 RATIONALE**

- 1.1 Bluewater District School Board believes that a focus on prevention and early intervention is the key to maintaining a positive school environment in which students can learn. Early intervention strategies will help prevent unsafe or inappropriate behaviours in school and in school-related activities.
- 1.2 The purpose of responding to incidents of inappropriate and disrespectful behaviour is to stop and correct it immediately so that the students involved can learn that it is unacceptable.

**2.0 PROCEDURE**

**2.1 Responding to Incidents**

- 2.1.1 Parents, students and other members of the community are encouraged to report incidents of bullying directly to the school administration.
- 2.1.2 Bluewater District School Board employees who work directly with students (i.e., administrators, teachers, and educational support staff (including student services staff, office professionals and technicians, custodians and educational assistants)) must respond to any student behaviour that is likely to have a negative impact on the school climate if, in the employee's opinion, it is safe to respond to it, and it is in accordance with subsection 300.4 of Part XIII of the Education Act and Ontario Regulation 472/07. Such behaviour includes all inappropriate and disrespectful behaviour occurring at any time at school and at any school-related event. Professional Learning Services Department personnel who are engaged in a clinical relationship with a student shall report such incidents, if in their professional opinion, it is reasonably possible to do without having a negative impact on the nature of the clinical relationship. In addition to employees of the board, school bus drivers, as well as other third party contractors, such as before-and-after school program operators, are also required to report such incidents in writing to the principal of the school (see BP and AP 6501-D).
- 2.1.3 Such inappropriate behaviour may involve:
  - a) Bullying;
  - b) Swearing;
  - c) Homophobic or racial slurs;
  - d) Sexist comments or jokes;

- e) Graffiti, or vandalism; and
- f) Behaviour identified under sections 306 and 310 of the Education Act (incidents for which suspension or expulsion must be considered – Appendix A).

2.1.4 Responding may include the following:

- a) Asking a student to stop the inappropriate behaviour;
- b) Naming the type of behaviour and explaining why it is inappropriate and/or disrespectful; and
- c) Asking the student to correct the behaviour (e.g., to apologize for a hurtful comment and/or to rephrase a comment) and to promise not to do it again.

2.1.5 By responding in this way, employees immediately address inappropriate student behaviour that may have a negative impact on the school climate. When employees are aware that an incident involves a student with special education needs, they are expected to respond in a way that is appropriate, taking into account information in the student's IEP.

2.1.6 Ontario Regulation 472/07 specifies that board employees are not required to respond to incidents when, in their opinion, responding would cause immediate physical harm to themselves or to a student or another person. However, for incidents for which suspension or expulsion must be considered, board employees must report these to the principal and confirm their report electronically (AF 6819-I Safe and Accepting Schools Incident Reporting e-Form (Part I)). If the principal is the sole witness to an incident, the principal is similarly required to use the form to confirm in writing that they witnessed. For other incidents, where suspension or expulsion would not be considered but board employees feel it is not safe to respond, they will be expected to inform the principal verbally as soon as possible. For example, a board employee would not be required to respond if it would mean having to leave a student with special education needs who would be in danger if left alone.

## 2.2 Reporting to the Principal

2.2.1 The purpose of reporting incidents of inappropriate and disrespectful behaviour is to ensure that the principal is aware of any activities taking place at school, school-related activity or on a school bus for which suspension or expulsion must be considered, and to help ensure a positive school climate.

2.2.2 Section 300.2 of Part XIII of the Education Act states that an employee of the board who becomes aware that a student at a school of the board may have engaged in an activity for which suspension or expulsion must be considered shall report the matter to the principal as soon as reasonably possible. The employee must consider the safety of others and the urgency of the situation in reporting the incident, but, in any case, must report it to the principal no later than the end of the school day.

2.2.3 In cases where an immediate action is required, a verbal report to the principal may be made. A written report must be made when it is safe to do so.

2.2.4 All employee reports made to the principal will be confirmed electronically, using AF 6819 Safe and Accepting Schools Incident Reporting e-Form (Part I). The principal will complete Part II of AF 6819, which will provide electronic acknowledgement of receipt to the person who submitted the report, ensuring that the acknowledgement does not include any information that could identify the student(s) involved. The principal must specify whether action has been taken or no action is required in order to complete the form. Possible actions taken can include anything on the progressive discipline continuum (Refer to BP and AP 6825-D Progressive Discipline). Each report will be assigned a report number.

2.2.5 The principal must investigate all reports submitted by board employees. After the investigation is complete, the principal must communicate, in a timely manner, the results of the investigation to the teacher who made the report, so that school staff can work with the principal to best meet the needs of students, support a positive school climate, and help prevent future inappropriate behaviour from taking place. If a board employee who is not a teacher made the report, the principal will communicate the results if considered appropriate by the principal.

**2.3 Retention of AF 6819 Safe and Accepting Schools Reporting Form**

- 2.3.1 If the principal has decided that action must be taken, as a result of a serious student incident, they will file a copy of the reporting form with documentation indicating the action taken in the Ontario Student Record (OSR) of the student whose behaviour was inappropriate (see Appendix B of AP 6820-D for specific filing/retention direction). The names of all other students that appear on the form – both aggressors and victims – must be removed from the form before it is filed in the student's OSR.
- 2.3.2 Where the principal has taken action in the case of more than one student, a copy of the reporting form and documentation indicating the action taken must be filed in the OSR of each student whose behaviour was inappropriate. The names of all other students that appear on the form – both aggressors and victims – must be removed from the form before it is filed in the OSR of the student whose behaviour was inappropriate.
- 2.3.3 In the case of the victim, no information about the incident must be placed in their OSR, unless the victim or parent of the victim expressly requests that it be placed in the OSR.
- 2.3.4 In situations where the victim is also an aggressor, information regarding the incident and the action taken place will be placed in the student's OSR.
- 2.3.5 In any case, if action has been taken for a non-violent incident, the form and documentation must be kept in the OSR for a minimum of one year.
- 2.3.6 For non-violent incidents, if no further action is taken by the principal, the principal is not required to retain the report, and should destroy it.
- 2.3.7 If the principal has identified the incident as violent, the reporting form must be retained in that student's OSR for:
- One year, if the student's suspension was quashed or withdrawn and the record of suspension expunged. Documentation of any other action taken (other than suspension or expulsion) must also be retained for this period;
  - Three years, if the student was suspended for the violent incident;
  - Five years, if the student was expelled for the violent incident.

**2.4 Notice to Parents/Guardians**

- 2.4.1 Section 300.3 of the Education Act requires principals to inform parent(s)/guardian(s) of students who have been harmed as a result of, and the students who have engaged in, any incident for which suspension or expulsion must be considered, unless:
- The student is 18 years old or over;
  - The student is 16 or 17 years old and has withdrawn from parental control; or
  - In the opinion of the principal, doing so would put the student at risk of harm from the parent/guardian.
- 2.4.2 Under the amended Behaviour, Discipline and Safety of Pupils Regulation (472/07) if the principal makes the decision to not notify the parent(s)/guardian(s) of a student for the reason described in 2.4.1 c), the principal must:
- Document the rationale for the decision not to notify the parent or guardian of the student;
  - Inform the appropriate supervisory officer of this decision;
  - If the teacher reported the harm to the principal, inform the teacher of the decision;
  - If they determine it is appropriate to do so, inform other Bluewater District School Board employees not to notify the parent(s)/guardian(s) of the student;
  - refer the student to board resources or to a community-based service provider that can provide the appropriate type of confidential support when the parents are not notified; and
  - According to the requirements of the Child and Family Services Act, board employees must contact the Children's Aid Society when they have a reason to believe a student may be in need of protection.

- 2.4.3 When notifying the parent(s)/guardian(s) of a victim, section 300.3(4) of the Education Act requires a principal to disclose the following:
- a) The nature of the incident that resulted in harm to the student;
  - b) The nature of the harm to the student;
  - c) The steps taken to protect the student's safety, including the nature of any discipline in response to the incident; and
  - d) The supports that will be provided for the student in response to the harm that resulted from the activity.
- 2.4.4 When notifying the parent(s)/guardian(s) of the aggressor, section 300.3(4) of the Education Act requires a principal to disclose the following:
- a) The nature of the incident that resulted in harm to the other student;
  - b) The nature of the harm to the other student;
  - c) The nature of any disciplinary measures taken in response to the activity;
  - d) The supports that will be provided for the student in response to their engagement in the activity.
- 2.4.5 When notifying parents/guardians of these incidents, the principal must invite the parents to have a discussion regarding the supports that will be provided for their child. In the event that a parent is dissatisfied with the supports, the principal will refer them to procedure AP 1604-D "Communications – Addressing Parent / Community Concerns".
- 2.4.6 Principals must NOT share the name of the aggressor or any other identifying or personal information with the parent(s)/guardian(s) of the victim beyond what is listed above, or vice-versa.

**APPENDIX A  
ACTIVITIES FOR WHICH SUSPENSION OR EXPULSION MUST BE CONSIDERED**

**1.0 Activities for which suspension must be considered under section 306(1) of the Education Act**

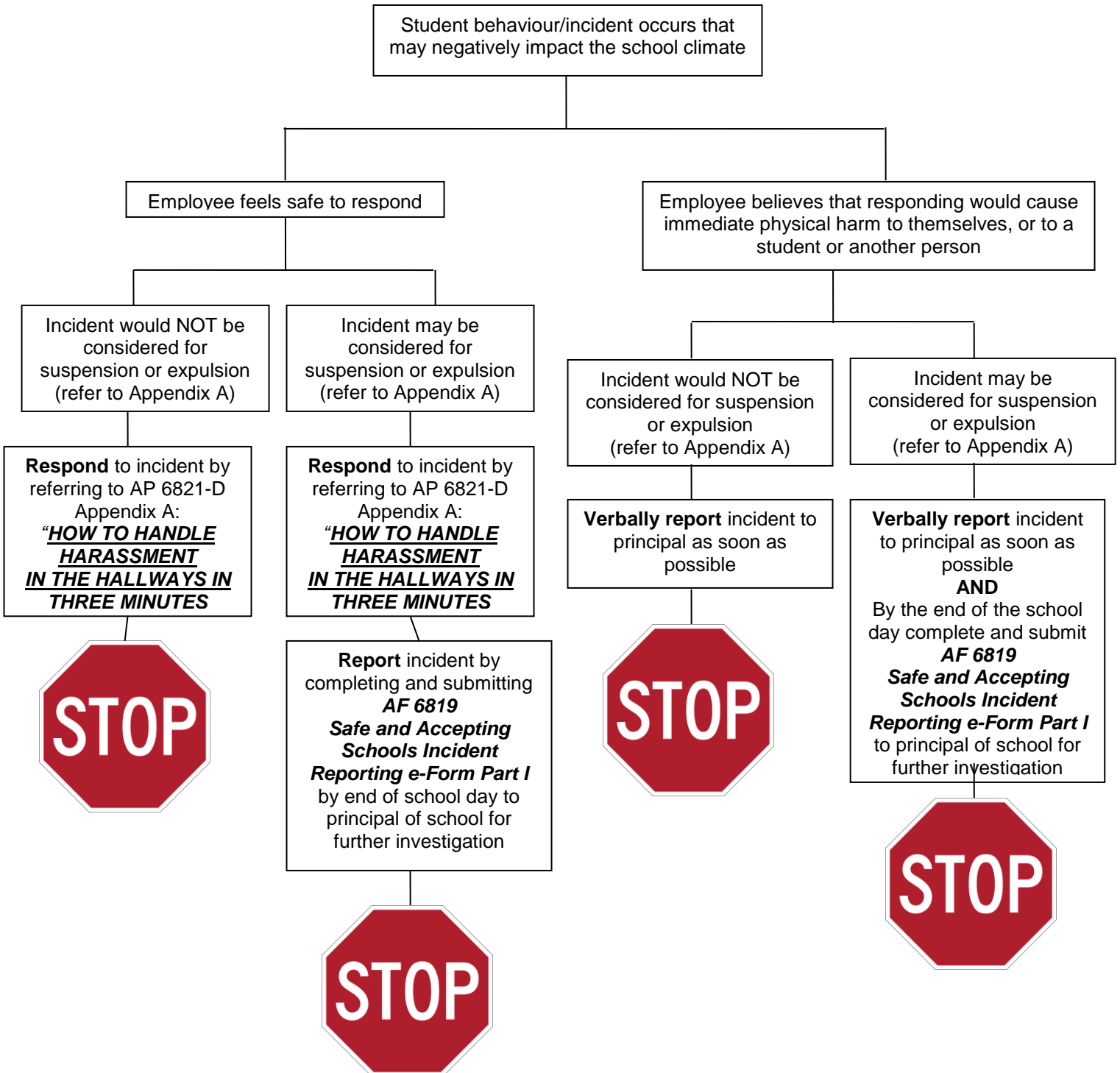
- a) Uttering a threat to inflict serious bodily harm on another person
- b) Possessing alcohol, drugs, or, unless the student is a medical cannabis user, cannabis
- c) Being under the influence of alcohol, drugs, or, unless the student is a medical cannabis user, cannabis
- d) Swearing at a teacher or at another person in a position of authority
- e) Committing an act of vandalism that causes extensive damage to school property at the student's school or to property located on the premises of the student's school
- f) Bullying
- g) Persistent absence
- h) Persistent opposition to authority
- i) Habitual neglect of duty
- j) Wilful destruction of school property
- k) The use of profane or improper language
- l) Conduct inconsistent with the Code of Conduct of the school and/ or administrative procedure AP 6822-D "Code of Conduct", or to the physical or mental well being of others in the school

**2.0 Activities for which expulsion must be considered under section 310(1) of the Education Act**

- a) Possessing a weapon, including possessing a firearm
- b) Using a weapon to cause or to threaten bodily harm to another person
- c) Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner
- d) Committing sexual assault
- e) Trafficking in weapons or in drugs
- f) Committing robbery
- g) Extortion
- h) Giving alcohol or cannabis to a minor
- i) Bullying, if
  - i. The student has previously been suspended for engaging in bullying, and
  - ii. The student's continuing presence in the school creates an unacceptable risk to the safety of another person.
- j) Any activity listed in section 1.0 that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor.
- k) Vandalism (causing extensive damage or impact on the school)
- l) Refractory conduct

APPENDIX B

SAFE SCHOOLS INCIDENT REPORTING FLOWCHART FOR BOARD EMPLOYEES (EXCEPT PRINCIPALS)



- Principal will follow Safe and Accepting Schools policy and related procedures to investigate and determine appropriate consequences.
- **OSR FILING:** If the Principal has decided that action must be taken as a result of an incident, they will file a copy of the reporting forms (PART I and II) with documentation indicating the action taken in the Ontario Student Record (OSR) of the student whose behaviour was inappropriate.
  - The names of all other students that appear on the form – both aggressors and victims – must be removed from the form before it is filed in the student's OSR